IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION NO. 3076 OF 2007
IN
M.C.A. (REVIEW) ST. NO. 7712 OF 2007
IN
WRIT PETITION NO. 5175 OF 2005

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

CORAM : B.P. DHARMADHIKARI, J.
JUNE 18, 2007.

Heard Shri Patil, learned counsel for the applicant and Shri Wankhede, learned counsel for the respondent.

For the reasons disclosed in the application, delay of 65 days in filing Misc. Civil application is condoned.

With consent of the parties M.C.A. (Review) Stamp No.7712 of 2007 is taken up for hearing.

Shri Patil, learned counsel states that on the relevant date i.e. on 22.1.2007, he in fact wanted to withdraw writ petition but could not do so. He further argues that M.S.R.T.C. has framed such a policy under

which the employee withdrawing Court matters is given some benefits or employment.

Shri Wankhede, learned counsel for the respondent states that writ petition has been dismissed after considering the records and on merits and therefore, it cannot be allowed to be withdrawn now.

Though I am not inclined to interfere in the matter in review and to permit the petitioner to withdraw writ petition at this stage in above circumstances, it is hereby clarified that if respondent – M.S.R.T.C. has any such policy and case of the petitioner can be considered thereunder, the dismissal of writ petition by this Court would not bar his consideration thereunder.

With these observations, review application is also disposed of. No costs.

JUDGE

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